

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAMSUNG ELECTRONICS CO., LTD.)	
and SAMSUNG SEMICONDUCTOR, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-1453-JLH
)	
NETLIST, INC.,)	
)	
Defendant.)	
_____)	
NETLIST, INC.,)	
)	
Counterclaim Plaintiff,)	
)	
v.)	
)	
GOOGLE LLC, ALPHABET INC.,)	
SAMSUNG ELECTRONICS CO., LTD.)	
and SAMSUNG SEMICONDUCTOR, INC.,)	
)	
Counterclaim Defendants.)	

NOTICE OF NEW TRIAL GRANTED IN RELATED PROCEEDING

On December 1, 2023, this Court granted the motion to stay this action filed by Plaintiffs and Counterclaim–Defendants Samsung Electronics Co., Ltd. (“SEC”) and Samsung Semiconductor, Inc. (“SSI,” and together with SEC, “Samsung”) in light of *Netlist Inc. v. Samsung Electronics Co., Ltd.*, No. 8:20-cv-00993-MCS-ADS, a co-pending contract action in the Central District of California. *See* D.I. 223 (Order); D.I. 202 (Motion). In its December 1, 2023 Order, the Court directed the parties to “notify the Court within 7 days of any action by the Central District of California (or any other court) pertaining to the parties[’] rights under the JDLA that may merit lifting the stay.” D.I. 223.

Samsung previously notified the Court after the jury issued a verdict in the Central District of California action. D.I. 225. Following the verdict, both parties filed post-trial motions, including a motion for a new trial filed by SEC.

On December 26, 2024, the Central District of California granted SEC's motion for a new trial and denied Netlist's motion for entry of judgment. Ex. A at 9–16. The court held that a new trial is warranted based on its finding that an empaneled juror provided false answers in voir dire relating to her prior litigation history and experience with contractual disputes and that this conduct demonstrated implied bias. The Court ordered the parties to meet and confer and to file a joint statement by January 7, 2025, proposing dates for a jury trial to begin no later than April 1, 2025. Ex. A at 17.

Because the Central District of California declined to enter judgment and has ordered a new trial in the contract action, this Court should maintain the stay in this action.

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January 7, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on January 7, 2025, upon the following in the manner indicated:

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